

*Criminal Code*

temporarily insane or irresponsible, due possibly to jealousy or some other strong mental force.

A man of this type may spend possibly 40 years of his life as an exemplary citizen and then become temporarily insane or uncontrollable for ten minutes during which time he may commit a murder. His actions during those ten minutes completely outweigh his previous 40 years of good behaviour. I believe the day will come when such a man will be treated by modern science so that the balance of his mental processes may be restored and the remainder of his life used profitably in more ways than one for the benefit of humanity.

In carrying out the extreme penalty we refuse to consider the implications of that act upon the lives of the family of the prisoner. The stigma of this penalty does not end with the execution, it is borne by the members of the victim's family for the rest of their lives. It may be a wife, a mother or children, but whoever they are they become social outcasts in the district in which they live. In many cases they are forced to sell their home at a loss and move to new surroundings in an effort to hide their shame.

It has been suggested to me that it would be far better if society when demanding full punishment for a crime should give the prisoner an option—I think this should be considered by the Attorney General—of serving for life and producing sufficient during that period to maintain himself and his dependents through some useful occupation in the prison, or submitting himself to medical science for experimental purposes for a few years. There might be dangerous experiments which could result in providing the answer to many problems still baffling science, problems concerning cancer and so on. If such a man survived he could be returned to society properly cured.

In that way he would be paying the penalty and atoning for his crime. To my mind such a method of punishment is preferable to capital punishment. We members of society have a direct responsibility for many crimes which are the result of economic conditions in the way of bad housing or many other contributing factors. Our antiquated methods of dealing with first offenders can be considered as a responsibility of society. Our whole treatment of crime is in my opinion a reflection upon our moral attitude toward this matter. We should consider it our responsibility to remove this horrible method whereby a victim's life is

[Mr. Jones.]

demanding for the commission of a crime which may be partly due to our conduct of society.

**Mr. Daniel McIvor (Fort William):** Mr. Speaker, I am not going to say very much. From my experience in Canada and in the old land I am convinced that our present method of execution is barbarous. I have had a good deal to do with prisoners—I stopped counting them at 160—and I have had only three who slipped partially. Life is sacred. I think our hearts rebel even against this execution of a mother and father which is about to take place in the United States.

Some years ago we had considerable discussion in the house over the change from the present method of execution to something more like that used in the United States. To my mind that does not go far enough. I still believe that in every human being there is a spot of good that can be touched. Man's destiny is in the eternal world, and that should make us consider this matter most seriously. I think there is a good deal in the suggestion that a man found guilty of murder should be given an option.

**Mr. H. W. Herridge (Kootenay West):** Mr. Speaker, I want to make a few comments in connection with this bill. Before proceeding may I say that I do not often find myself supporting the hon. member for Moose Jaw (Mr. Thatcher) in his proposals for saving funds, but I do most heartily support him in his efforts to save life.

I am rather surprised that, while several hon. members have spoken—and I have enjoyed what they have had to say—none of our great legal luminaries have risen to express their opinions on this most important question. In fact I am rather surprised that we have not heard from the hon. member for Lake Centre (Mr. Diefenbaker) who always takes the position that he stands for things that are for the general advantage of Canada generally.

In my opinion the bill deserves the most earnest consideration of all members of the house, and I join with other members who have congratulated the hon. member for Moose Jaw (Mr. Thatcher) for bringing the bill before the house and by so doing providing an opportunity for general discussion and consideration of the subject. Not only is it a matter of concern to quite a number of members of the house—and I have heard a number of them express opinions who have not spoken this afternoon—but it is a matter of concern to quite a large segment of the Canadian people. I have heard this subject discussed by people of various types representing different groups and all parties in